

AMENDED

Serial No.

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 22 1982

Returned to applicant for correction JAN 18 1983

Corrected application filed MAY 26 1983 Map filed FEB 16 1983

The applicant COMSTOCK ENTERPRISES, INC.

P. O. Box 718 of Carson City
Street and No. or P.O. Box No. City or Town

Nevada 89701 hereby make^s application for permission to change the
State and Zip Code No.

point of diversion of a portion, place of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 34749
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.0 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Quasi-Municipal and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, T.16N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.21E., M.D.B. & M. from which the north $\frac{1}{4}$ corner of said Section 29 bears
distance to a section corner. If on unsurveyed land, it should be stated.
North 28°21'53" West, 595.87'.

6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29,
If point of diversion is not changed, do not answer.
T.16N., R.21E., M.D.B. & M. from which the west $\frac{1}{4}$ corner of said Section 29
bears North 75° West, 1510'.

7. Proposed place of use the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and the S $\frac{1}{2}$ of Section 19; the SW $\frac{1}{4}$ of Section 20;
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
the NW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, the N $\frac{1}{2}$ of the SW $\frac{1}{4}$; the N $\frac{1}{2}$ of the
S $\frac{1}{2}$ of the SW $\frac{1}{4}$, situated north of US Highway 50, of Section 29; the E $\frac{1}{2}$ of the
NE $\frac{1}{4}$ of Section 30., T.16N., R.20E., M.D.B. & M.

8. Existing place of use Section 19; SW $\frac{1}{4}$ Section 20; E $\frac{1}{2}$ of NE $\frac{1}{4}$ W $\frac{1}{2}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ and S $\frac{1}{2}$ of
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 30; NW $\frac{1}{4}$, NW $\frac{1}{2}$ of NE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$ and the SW $\frac{1}{4}$
of SE $\frac{1}{4}$ Section 29 and Section 31, T.16N., R.21E., M.D.B. & M. and the SW $\frac{1}{4}$ Section
manner of use of irrigation permit, describe acreage to be removed from irrigation. 24; the NE $\frac{1}{4}$, the E $\frac{1}{2}$ of the SE $\frac{1}{4}$,
Section 25; the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$, and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of
Section 36, T.16N., R.20E., M.D.B. & M.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
drilled and cased well with electric motor
specifications of your diversion or storage works.) and pump. Water will become part of the
Comstock Water System which includes State manner in which water is to be diverted, i.e. diversion structure, ditches,
a 50,000 gallon concrete reservoir and distribution system.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works 30,000.00

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be co-mingled with water appropriated under permits 30786 and 36519 in the Comstock Water System and serve and industrial park and a mobile home park.

By s/William P. Hendricks #534
ROY H. HIBDON
 1479 S. Wells Ave Suite 15
 Reno, Nevada 89502

Compared bl/ kc js/bc

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 34749 is issued subject to the terms and conditions imposed in said Permit 34749 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A combined duty of 100 acre-feet annually under Permits 43202, 46382, 46624 and 46625 must be reserved for Comstock Industrial Subdivision.

The total combined duty of water under Permits 24387, 24388, 24472, 25454, 25483, 25484, 26008, 26755, 27199, 34748, 34749, 42535, 42536, 42537, 42539, 42540, 42541, 43202, 43203, 46382, 46383, 46384, 46385, 46624, 46625, 46626, 47427, 47428, 48302, 48630 and 48631 shall not exceed 738.4 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 235.9 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 22, 1987

Proof of completion of work shall be filed before May 22, 1987

Application of water to beneficial use shall be made on or before April 22, 1988

Proof of the application of water to beneficial use shall be filed on or before May 22, 1988

Map in support of proof of beneficial use shall be filed on or before May 22, 1988

Completion of work filed JUN 4 1987 IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of July,

Cultural map filed _____ A.D. 19 85

Certificate No. _____ Issued _____

 State Engineer